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**COMMUNICATIONS**

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**MAR 28 1994**

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March 22, 1994

DOCKET FILE COPY ORIGINAL

Secretary  
Federal Communications Commission  
Room 222  
Washington, DC 20554

Re: Docket CC- 93-292

Dear Secretary:

I would like to file this letter in support of the FCC's need to impose responsibilities for toll fraud upon telephone companies.

My experience with AT&T has been extremely frustrating and I hope that the FCC can do something to resolve this matter as I am sure others are experiencing the same treatment by AT&T.

Although my complaint is pending before the enforcement division I would also like to submit a copy of this letter to be included in the comments filed in the above referenced proceeding.

We appreciate your help and want to thank you for your interest.

Sincerely,

Floyd Welles

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**CW Communications®**

239 West Olive Avenue  
Burbank, CA 91502  
818-846-4444

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March 1, 1994

Enforcement Division  
Federal Communications Commission  
Room 6202  
Washington, D.C. 20554

The purpose of this letter is two fold. First of all, I would like the FCC to perform an investigation regarding unauthorized calls billed to me by AT&T. Secondly, I would like to file a complaint against AT&T as a company, and specifically against Michael P. Hurst, an attorney representing AT&T.

The problem with my phone bill started on December 20, 1990. Upon seeing these unauthorized charges, I called AT&T and informed them of these calls and was told that my account would be credited for these charges. I asked how I could prevent this from happening again, and I was advised to implement Call Blocking, which I did through Pacific Bell at a cost of \$120.00. This was obviously not the "fix" for the problem as the calls started appearing again on 2-27-92. After receiving the 3-4-92 bill, I again called AT&T to inform them of these unauthorized calls, which they chose to ignore, and the charges escalated from \$135.80 to \$16,945.74.

I made numerous calls to AT&T security, and their response to me was "there is nothing we can do to help you". I then filed a police report with the Burbank Police Department, report number 92-4004. I dealt with Detective Cheryl Skinner (818-953-8663) and Detective Brent Amrose (818-953-8731). Neither one of them had any luck with AT&T regarding these unauthorized calls.

On September 22, 1992, I sent a letter to AT&T stating that we are disputing these charges, and a full year went by before anyone contacted me from AT&T. When some one did contact me, there were long gaps between communication, with a lot of forgotten details. At no time during these conversations were we ever told that there was any deadline on resolution of this issue.

On February 24, 1994, I received a call from Michael P. Hurst informing me that I had until Monday, February 28, 1994 to settle this matter or else he was going to sue me. On Tuesday, March 1, 1994, Michael called my office and was completely unprofessional in telling my receptionist that she needs to get me off the phone or he is going to sue me. I cannot tolerate this type of abuse to myself or my employees. Since dealing with Michael, he has performed every intimidating action to try to force us into a settlement agreement with AT&T, a copy of which I am sending you. I have been informed by the California Public Utilities Commission that the statute of limitations on a disputed phone bill is 36 months from the date of the bill. However,

Federal Communications Commission  
Page Two  
March 1, 1994

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MAR 28 1994

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Michael is informing me that the statute of limitations is two years from the date of the first call. I am trying to verify this information with the FCC at this time.

If I am forced to sign a settlement agreement with AT&T, it is only because I cannot afford legal representation to defend myself. I am still protesting these charges.

During my investigation as to how my account was billed for all of these unauthorized calls, I was told that "a hacker got into my system". I believe that if a hacker got into my system for the number of hours of long distance time that I was billed for, my system would have been virtually inaccessible to my company and my customers. There was not one complaint from anyone about not being able to get through to us. In addition to this, many calls were connected through the 700 number, which is controlled by AT&T operators placing calls and billing them to me. Plus there are calls connected to 000-0000 from the 700 operator and AT&T cannot even tell me to what number they connected these calls.

How is it that AT&T fraud division did not detect this unusual activity? Why did they not do something after we brought it to their attention. Why doesn't AT&T offer password protection on access to their network, as other carriers do? How can they bill a customer for calls for which they can't provide us with connection information.

I am completely frustrated in trying to resolve this with AT&T and I would like you to perform an investigation as to how AT&T can bill for these calls that this company did not make and the unethical manner in which they are trying to settle this dispute.

I have another dispute I am trying to resolve with AT&T at this time. Enclosed is a copy of that complaint for your reference. This is another case of AT&T not being able to correct a fraudulent charge. We do not have a calling card, and AT&T is unable even to locate the credit card in their computer. Yet, they have failed to refund me the \$130.52 already paid to them.

If you need any additional information, please call me at 818-846-4444.

Thank you for any assistance you may be able to provide.

Sincerely,

Mrs. Patricia Welles  
Vice President

Enclosures